

**LUMPKIN COUNTY  
BOARD OF COMMISSIONERS  
AGENDA**

Dahlonega City Hall  
465 Riley Road  
Dahlonega, Georgia  
October 21, 2005  
9:00 A.M.

**I. CALL TO ORDER**

Chairman Gooch

**II. INVOCATION**

Reverend Jeff Ross  
Dahlonega United Methodist Church

**III. APPROVAL OF AGENDA**

**IV. PRESENTATION**

- Mountain Brook Academy (aka Hidden Lake Academy)  
Presentation by Dr. Len Buccellato, Jeff Halloway, Bill Gray, & Herman Essert

**V. APPROVAL OF MINUTES**

- September 15, 2005 Regular Meeting
- October 10, 2005 Called Meeting

**VI. REPORTS**

- Department Heads
- Elected Officials

**VII. NEW BUSINESS**

- RESOLUTIONS
  - o 2005-56 Amendment to Alcoholic Beverage Sales Ordinance
  - o 2005-57 Provide for the Punishment of Cruelty to Animals
  - o 2005-58 Restoring Georgia's Environmental Trust Funds
  - o 2005-59 Accepting Roads in Fireside Ridge Subdivision as Class C 2 Roads
  - o 2005-60 Amendment to Subdivision Regulations Easements
  - o 2005-61 Amendment to Subdivision Regulations Green Space
  - o 2005-62 Amendment to Lumpkin County Purchasing Policy
  - o 2005-63 Amendment to Lumpkin County Purchasing Operational Procedures
  - o 2005-64 Amendment to Existing Travel Policy and to Provide Uniform Procedures for Official Travel
  - o 2005-65 Create and Implement a Lumpkin County Investment Policy
  - o 2005-66 Create and Establish the Lumpkin County Fixed Asset Policy

**LUMPKIN COUNTY  
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- o 2005-67 Create and Implement the Lumpkin County Fleet Card Policy
- o 2005-68 Abandonment of Easement
- o Ratify and Approve the Mileage Rate for Reimbursement for Approved Travel by Private Vehicle Under the Provision of the Lumpkin County Travel Policy
- PROCLAMATIONS
  - o In Honor of Jimmy Anderson's Retirement and 44 Years of Dedicated Service
  - o In Honor of Mr. Charles Floyd Suit Recipient of the Purple Heart
- CONTRACTS
  - o DECA AMR Business Products, Inc. – Maintenance Contract-Dictation Wordnet
  - o Ikon Copier Contract
- OTHER ITEMS
  - o Property Tax Penalties  
BHR Group, LLC  
Mike Gleason  
Alvaro Sosa

**VIII. OLD BUSINESS**

- COUNTY MANAGER'S COMMENTS
- CHAIRMAN'S COMMENTS
- COMMISSIONERS COMMENTS
- COUNTY ATTORNEY'S COMMENTS
  - o Clarification of Rock Tree Road status regarding proposed Spring Mountain Subdivision
- PUBLIC COMMENTS

**IX. ANNOUNCEMENTS**

Future Board Meetings:

\*Board Work Session – Park & Rec.  
Board Meeting – City Hall  
Board Work Session – City Hall  
Board Meeting – City Hall

Nov. 1, 2005 at 9:00 a.m.  
Nov. 17, 2005 at 6:00 p.m.  
Dec. 1, 2005 at 9:00 a.m.  
Dec. 15, 2005 at 9:00 a.m.

*\*Note: Date and location change*

**X. ADJOURN**

Chairman Gooch



## MINUTES OF THE REGULAR MONTHLY MEETING OF THE LUMPKIN COUNTY BOARD OF COMMISSIONERS

October 21, 2005

### CALL TO ORDER

The meeting was called to order by Chairman Gooch at 9:05 a.m. Commissioners present were Stephen Gooch, John Raber, Deborah Hutcheson, Clarence Stowers, and Marvin Martin. The Reverend Jeff Ross opened the meeting with prayer. Chairman Gooch requested that everyone stand and then asked Mr. Andy Hutcheson, a member of the Veterans Affairs Committee, to lead the group in the Pledge of Allegiance.

### APPROVAL OF AGENDA

John Raber made a motion to adopt the agenda. This motion was seconded by Deborah Hutcheson and approved by all district commissioners present.

### PRESENTATION

#### Mountain Brook Academy (aka Hidden Lake Academy)

Presentation by Dr. Len Buccellato, Jeff Holloway, Bill Gray, & Herman Essert

Mr. Herman Essert addressed the Board of Commissioners and stated they were not prepared to make their presentation today. Mr. Essert ask if their presentation could be postponed and requested that they appear before the Board of Commissioners at the board's Work Session November 1, 2005 and Regular Meeting November 17, 2005. The Board of Commissioners agreed to their request.

Citizen Mr. Gary Vernon asked to address the Board of Commissioners. Chairman Gooch granted Mr. Vernon's request. Mr. Vernon asked if the members of the board were aware that the Mountain Brook Academy Presentation by Hidden Lake Academy was going to be withdrawn from the meeting agenda. Mr. Vernon expressed concern that he and several other citizens in attendance at the meeting had to take off work to attend the meeting today.

The Board of Commissioners responded that were unaware that the Mountain Brook Academy Presentation would be asked to be withdrawn from the meeting agenda.

### APPROVAL OF MINUTES

Deborah Hutcheson made a motion to approve the minutes of the September 15, 2005 regular meeting. This motion was seconded by Clarence Stowers and approved by all district commissioners present.

Clarence Stowers made a motion to approve the minutes of the October 10, 2005 regular meeting. This motion was seconded by Deborah Hutcheson and approved by all district commissioners present.

### PROCLAMATIONS

#### Mr. Charles Floyd Suit

Chairman Gooch read a proclamation of appreciation in honor of Mr. Charles Floyd Suit recipient of the Purple Heart. Mr. Suit had been injured during an aerial battle in 1943 with Japanese Aircraft and had earned the Purple Heart Medal as a result of these injuries. Unfortunately, he was overlooked when the medals were awarded on a hospital ship in route to the United States. After 62 years of waiting for his Purple Heart this oversight was corrected for Mr. Suit on September 30, 2005. Everyone in attendance stood and applauded Mr. Suit for his heroic acts and sacrifices that he made for our country and the freedom of the United States.



Mr. Jimmy Anderson

Chairman Gooch read a proclamation in honor of Jimmy Anderson's retirement and 44 years of dedicated service. The proclamation commended Mr. Anderson for 44 years of dedication and service to the community and the citizens of Lumpkin County and for being the longest serving Postmaster in the State of Georgia. Chairman Gooch said he would be presenting the proclamation to Mr. Anderson's at his retirement party.

**OTHER ITEMS**

Rocktree Road

The Board of Commissioners received comments from developers and citizens that live along Rocktree Road concerning which portion of the road is a county road, right-of-way, and increased usage of this road. County Attorney Horne stated that Rocktree Road is a county road up to the portion maintain by the county. Mr. Horne will provide a written opinion on the status of Rocktree Road as a county road.

Property Tax Penalties

BHR Group, LLC – Ms. Kathleen Manzela appeared before the Board of Commissioners asking the board to waive the 10% penalty and to insure that this property belongs to BHR Group, LLC. The Board of Commissioners, County Attorney, and Chief Tax Appraiser stated that responsibility for receipt and payment of tax bills is the property owners.

Chairman Gooch asked for a motion to approve the request by BHR Group, LLC to waive the penalty. No motion was made.

Chairman Gooch asked for a motion to disapprove the request by BHR Group, LLC to waive the penalty. Deborah Hutcheson made a motion to disapprove the request to waive the penalty. The motion was seconded by Marvin Martin and approved by Commissioners Hutcheson, Stowers, and Martin. Commissioner Raber opposed.

Mike Gleason – Request by letter to waive the late charges on his tax bill because the previous owner did not forward the tax bill in a timely manner.

Marvin Martin made a motion to disapprove the request to waive the penalty. The motion was seconded by Deborah Hutcheson and approved by all district commissioners present.

Alvaro Sosa and Betty Varela – Request by letter to waive the late charges on their tax bill because the previous owner did not forward the tax bill in a timely manner.

Deborah Hutcheson made a motion to disapprove the request to waive the penalty. The motion was seconded by Marvin Martin and approved by all district commissioners present.

**REPORTS**

Reports were presented by Department Heads and are on file in the Board of Commissioners Office.

**RESOLUTIONS**

**RESOLUTION 2005-56**

A resolution amending the Lumpkin County Alcoholic Beverage Sales Ordinance. Since the adoption of the Alcoholic Beverage Sales Ordinance the governmental review and analysis of the application of the ordinance has revealed areas where amendment is required to make the County ordinance more consistent with the requirements of the Georgia statute, but without decreasing the desired controls for local purposes.

**RESOLUTION 2005-57**

A resolution provides for the punishment of cruelty to animals in the unincorporated portion of Lumpkin County. The Animal Control Officer of the Lumpkin County Sheriff's Office has identified a significant problem within the



unincorporated portion of Lumpkin County in that certain individuals have committed acts of cruelty toward animals.

**RESOLUTION 2005-58**

A resolution supporting the restoration of Georgia's environmental trust funds. Lumpkin County believes that effective and efficient cleanup of hazardous and solid waste sites and control of erosion and sedimentation relies on a cooperative approach between the state and local governments, utilizing established tools and funds designed for these purposes.

**RESOLUTION 2005-59**

A resolution to accept the dedication of certain roads as public roads for maintenance in "As Is" condition. The governing authority of Lumpkin County has received and considered the petition from the residents of the Fireside Ridge Subdivision to accept the dedication of designated roads within their subdivision as Category C-2 roads accepted for maintenance in present condition, but not to be improved at public expense.

**RESOLUTION 2005-60**

A resolution to amend the Lumpkin County Subdivision Regulations - Easements. The governing authority of Lumpkin County has reviewed and evaluated the existing Subdivision Regulations and the effects of certain provisions provided therein for the use and limitation on the use of easements in developed property.

**RESOLUTION 2005-61**

A resolution to amend the Lumpkin County Subdivision Regulations - Green Space. The Governing authority of Lumpkin County has reviewed and evaluated the existing Subdivision Regulations and the effects of certain provisions provided therein for the creation and protection of Green Space in developed property.

**RESOLUTION 2005-62**

A resolution to amend the Lumpkin County Purchasing Policy. The governing authority of Lumpkin County desires to amend the purchasing policy to provide for improved financial management and purchasing controls, and to establish clear and concise policies for the use by the County Purchasing Agent and other county officials authorized to make purchases on behalf of the governing authority.

**RESOLUTION 2005-63**

A resolution to amend the Lumpkin County Purchasing Operational Procedures. The governing authority of Lumpkin County desires to amend the purchasing operational procedures to provide for improved financial management and purchasing controls, and to establish clear and concise procedures for use by the County Purchasing Agent and other county officials authorized to make purchases on behalf of the governing authority.

**RESOLUTION 2005-64**

A resolution to amend the existing travel policy and to provide uniform procedures for official travel. The governing authority of Lumpkin County desires to amend the Lumpkin County Travel Policy to provide for clear and concise guidance for travel on official business, and to provide procedures for reimbursement for expenses while on official business.

**RESOLUTION 2005-65**

A resolution to create and implement a Lumpkin County Investment Policy. The governing authority of Lumpkin County desires to create and implement a policy to govern the short term investment of certain public funds to provide the highest return while also providing for the maximum safety against loss or misuse.

**RESOLUTION 2005-66**

A resolution to create and establish the Lumpkin County Fixed Asset Policy. The governing authority of Lumpkin county has determined that a policy for management of fixed assets belonging to the County is needed to provide guidance for the acquisition, care, and disposal of the County's fixed assets.



#### RESOLUTION 2005-67

A resolution to create and implement the Lumpkin County Fleet Card Policy. The governing authority of Lumpkin County has determined that the use of assigned and controlled fuel credit cards is a viable way to manage cost of fuel and vehicle maintenance while also gaining increased detail on the usage of county vehicles.

#### RESOLUTION 2005-68

A resolution to abandon certain surplus right-of-way. The governing authority of Lumpkin County has certain easement benefiting the Park and Recreation Property and has no beneficial use in the present and planned use of the property. Lumpkin County desires to abandon such easement to the present owners John D. Anthony, Jr., and June M. Anthony. The Chairman is authorized and directed to prepare and execute such document as is necessary to record this abandonment in the real estate records of the Lumpkin County Clerk of Superior Court.

#### RESOLUTION 2005-69

A resolution to ratify and approve the mileage rate for reimbursement for approved travel by private vehicle under the provision of the Lumpkin County Travel Policy. The mileage reimbursement rate for approved travel in a privately owned vehicle shall be \$0.485 per mile.

John Raber made a motion to approve resolutions 2005-56 through 2005-69 by acclamation. The motion was seconded by Marvin Martin and approved by all district commissioners present.

John Raber made a motion to approve all the resolutions. The motion was seconded by Clarence Stowers and approved by all district commissioners present.

#### CONTRACTS

##### DECA AMR Business Products, Inc.

Maintenance Contract Dictation Wordnet for the E911 Center.

Amount: \$8,303.40

Term of contract: 9/10/2005 to 9/09/2006

##### Ikon Copier Contract

Digital Copier Lease and Maintenance Agreement

Effective: 10/01/2005

John Raber made a motion to approve the contracts presented. This motion was seconded by Deborah Hutcheson and approved by all district commissioners present.

#### COMMENTS

##### COUNTY MANAGER'S COMMENTS

County Manager Kelley stated that the city has requested that the county sign the Eco-South Inc, contract for the Yahoola Creek Reservoir Mitigation Design and Construction Services.

Deborah Hutcheson said she wants to have a joint meeting with the City of Dahlonega, and that she is opposed to joint committee meetings.

John Raber expressed his frustration with the reason for the city and county not meeting.

Chairman Gooch reminded everyone that these are two independent bodies. The Chairman feels the city and county need to meet next week on October 27<sup>th</sup> as scheduled. The Chairman asked that the joint meeting of the city and county on October 27, 2005, 3:30 p.m. at City Hall be advertised. Chairman Gooch said that the joint city and county reservoir committee met last Thursday and will meet again next Tuesday.

#### CHAIRMAN'S COMMENTS

Chairman Gooch asked for names of possible members for a committee to look at Impact Fees. The committee needs 40% of the membership made up of persons involved with real estate.

Chairman Gooch stated that Dawson County has expressed an interest in developing an airport and has asked Lumpkin County to join Dawson County in creating a Joint Development Authority. Dawson County has asked the Board of Commissioners to name three (3) people from Lumpkin County to serve on the Joint Development Authority. There is a possibility that 97% of the funding for the airport would be federal money. Chairman Gooch asked that the board consider this request.

#### COMMISSIONERS COMMENTS

Commissioner Raber stated that Lumpkin County should be looking for good industry to help with taxes.

Commissioner Stowers expressed his concern regarding an article in The Dahlonega Nugget titled "Again", which referred to a story about suspected embezzlement in the Magistrate's office.

County Manager Kelley responded that he and Finance Director Allison Martin are looking at putting procedures in place to provide better internal controls.

Deborah Hutcheson made a motion that there be zero tolerance of mishandling of county funds and that letters be sent to the Judges and District Attorney. This motion was seconded by Clarence Stowers and approved by all district commissioners present.

#### COUNTY ATTORNEY COMMENTS

No comments.

#### PUBLIC COMMENTS

Ms. Brenda Cronan a member of Lumpkin County Family Connection thanked the Board of Commissioners and County Manager for reading in the read for change program.

#### ADJOURN

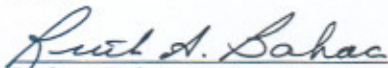
Chairman Gooch asked for a motion to adjourn at 12:09 p.m. John Raber made a motion to adjourn. The motion was seconded by Clarence Stowers and approved by all district commissioners present.

11-17-2005

Date

  
\_\_\_\_\_  
Stephen W. Gooch, Chairman  
Lumpkin County Board of Commissioners

Attest:

  
\_\_\_\_\_  
Ruth A. Bohac  
Clerk, Lumpkin County